

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 447 - HB 1231

March 26, 2021

SUMMARY OF ORIGINAL BILL: Requires the on-site facility supervisor-in-charge (OFSI) at a secure juvenile detention or correctional facility to immediately report any security breach and any escape by a juvenile who is alleged or adjudicated to be delinquent for an act which would be a felony if committed by an adult. Adds the Department of Children's Services (DCS) to those whom the OFSI must report the escape. Establishes that any OFSI who fails to comply with certain reporting requirements may be charged with a Class C felony offense of permitting or facilitating escape.

Requires DCS to include in the annual report information about any escape, attempted escape, security breach, or attempted security breach that has occurred in the previous calendar year at a secure detention or correctional facility designated, operated, or approved by a juvenile court for confinement of juveniles.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (005506): Deletes and rewrites all language after the enacting clause such that the only substantive changes are: (1) to add youth development centers and other hardware secure facilities that contract with DCS to the facilities affected by the requirements; and (2) to specify that, in order for an OFSI to be charged with a Class C felony offense, the failure to comply with the reporting requirements must have been intentional.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Based on information provided by the DCS, the new reporting requirements regarding escapes and security breaches at secure juvenile detention and correctional facilities will have no effect on policies or procedures of the DCS; therefore, any fiscal impact is estimated to be not significant.

- There will not be a sufficient number of Class C felony prosecutions for state or local government to experience any significant increase in revenue or expenditures.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/jj